

**ORIGINAL**

DANIEL

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

----- -X

MARTRADE SHIPPING & TRANSPORT :  
GmbH,

Plaintiff,

Index No.:

08 CV 1304 (LBD)

- Against -

ORDER DIRECTING CLERK TO  
ISSUE PROCESS OF  
MARITIME ATTACHMENT AND  
~~GARNISHMENT~~

SASCO GmbH,

Defendants.

----- -X

USDC SDNY  
DOCUMENT  
ELECTRONICALLY FILED  
DOC #:  
DATE FILED: 2/11/08

Upon reading and filing the Verified Complaint of the

Plaintiff herein, verified on the 8<sup>th</sup> day of February, 2008,  
and the Affirmation of Michael D. Wilson, sworn to on the 8<sup>th</sup>  
day of February, 2008, that to the best of his information and  
belief Defendant SASCO GmbH cannot be found within this District  
for the purpose of an attachment under Supplemental Rule B(1),  
and the Court having found that the conditions required by Rule  
B(1) of the Supplemental Rules for Certain Admiralty and  
Maritime Claims of the Federal Rules of Civil Procedure exist;

It is on this 8<sup>th</sup> day of February 2008;

**ORDERED** that the Clerk of this Court is directed  
forthwith to issue the Process of Maritime Attachment and  
Garnishment for seizure of all assets of the Defendants ~~MB~~ MBe

MGC ~~described therein~~ in the possession, custody or control of, or being transferred through,

JPMorgan Chase Bank NA, Citibank NA, American Express Bank Ltd., Bank of America, Bank of New York, Deutsche Bank, HSBC, BNP Paribas, Wachovia Bank NA, ABN Amro, Atlantic Bank of NY, Standard Chartered Bank, Bank of Communications, The Bank of East Asia (USA) NY, Bank of China, Shanghai Commercial Bank Ltd., Bank of Tokyo-Mitsubishi, Barclays Bank, Credit Suisse, Rabobank, Wells Fargo Bank, US Bank, UBS,

and/or any other garnishee(s) on whom a copy of the Order of Attachment may be served, in the amount of \$149,552.00 <sup>(less 2,100.00)</sup> pursuant <sup>MGC.</sup> to Rule B of the Supplemental Rules for Certain Admiralty and Maritime Claims of the Federal Rules of Civil Procedure; and it is further

**O R D E R E D** that supplemental process enforcing the Court's Order may be issued by the Clerk upon application without further order of the Court; and it is further

**O R D E R E D** that any person claiming an interest in the property attached, garnished and arrested pursuant to said Order shall, upon application to the Court, be entitled to a prompt hearing at which the plaintiff shall be required to show why the attachment and garnishment should not be vacated or other relief granted; and it is further

*Ordered that in no event shall intermediate wire transfers or electronic fund transfers of which defendant SASCO GmbH is the ultimate beneficiary and not the originator be restrained pursuant to this Order; and it is further*

**O R D E R E D** that service on any garnishee as described above is deemed effective continuous service throughout the day from the time of such service through the opening of the garnishee's business the next business day; and it is further

**O R D E R E D** that pursuant to Rule 5(b)(2)(D) of the Federal Rules of Civil Procedure each garnishee may consent, in writing, to accept service by any other means.

Dated: New York, New York  
February 8, 2008

*Miriam Goldman Cedarbaum*

UNITED STATES DISTRICT JUDGE

*Part I*

*J*